CAUSATION IN CRIMINAL LAW: SUPPORTING CASE STUDIES

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ABSTRACT

*Causation in criminal law is the **fundamental link** connecting a defendant's actions to the resulting harm, ensuring that liability aligns with moral culpability. This project analyses the twin pillars of factual causation (the "but for" test) and legal causation (proximate cause), in addition to doctrines such as novus actus interveniens (intervening acts) and the eggshell skull rule, which makes defendants liable for unanticipated victim vulnerabilities. Beyond classical frameworks, liability is extended to foreseeable harms, and joint causation in multi-defendant cases. This work has also focused on the great **Hart & Honores' work** on causation and "condition", which sought to explore the tension between social norms and legal rationality in determining responsibility. As modern challenges test the boundaries of doctrine, the criteria for establishing causation adapt to ensure that justice remains both rigorous and equitable while maintaining the **principle that liability corresponds to responsibility.***

INTRODUCTION

The doctrine of "causation" is a prominent cornerstone in determining criminal liability against an offence. These offences can be of different types, from criminal offences like murder to civil offences like theft. The concept of causation is not only in criminal law but also in tort law, contract law, and even medical negligence. This principle mainly establishes that individuals are liable for offences they cause directly. This doctrine proves whether the defendant is liable for an offence; the prosecution can prove this through various tests, which will be discussed further. Within criminal law, causation doctrines govern the connection between D's behaviour and the consequence elements, if any, of an offence. They articulate the paradigm route by which ascriptive responsibility for those occurrences can be attributed to D.[1]. It connects the

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[1] (*Causation in (criminal) law - king's research portal*) <https://kclpure.kcl.ac.uk/portal/files/53120826/Causation_LQR_20160518_final_submitted.pdf> accessed 18 April 2025

defendant's behaviour to the forbidden outcome, ensuring accountability corresponds to moral blameworthiness. The principle guarantees that individuals are held accountable solely for the harm they cause.

This causation has been a major topic of discussion in the Anglo-American legal system, which determines liability and assigns responsibility for wrongdoing, particularly in tort law. Causation has been used in tort law to prove negligence where the defendant's negligent act directly led to the plaintiff's injury or damage, establishing a causal link between negligence and harm. The Anglo-American legal system places a strong emphasis on causation as a fundamental principle in determining legal responsibility.

While the concept has faced many criticisms, it has been broadly classified into two by H.L.A. Hart and Tony Honoré in their book 'CAUSATION IN THE LAW' Though the fundamental structure of causation is about factual and legal causation, the doctrine also overlaps with subtle ideas such as intervening acts (novus actus interveniens), victim vulnerabilities (the eggshell skull rule), and alternative routes to proving liability. However, many see the causation finding as a conclusion to determine a person's criminal liability. Many times, judges rarely emphasise proving the defendant's liability, "if causation were not independent of legal or moral liability, it would be a mere tautology to say that someone should be held liable for an injury because they caused it."[2]

This essay explores these aspects, analysing how courts and legal systems navigate intricate causal chains to attribute responsibility equitably.

FACTUAL CAUSATION

This causation can be established only in cases where the facts of the case determine the direct cause of the defendant's action that led to the harm caused. This can be proved through a test called as 'but for' test: *"But for the defendant's act, would the harm have occurred?* In the case R V White[3] The defendant attempted to murder his mother by poisoning her drink/milk. Later, his mother died of a heart attack, not long after. He wasn't accountable or guilty of murder because the poison that she had mistakenly taken was not affected. Even if white hadn't tried

[2] (*Causation in (criminal) law - king's research portal*) <https://kclpure.kcl.ac.uk/portal/files/53120826/Causation_LQR_20160518_final_submitted.pdf> accessed 18 April 2025

[3] 'R. v. White - SCC Cases' (*Decisions and Resources - SCC Cases*) <https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/1706/index.do> accessed 14 April 2025.

to poison his mother, she would have died, thus, the UK Court of Appeal ruled the defendant's action was not the direct cause of his mother's death and was declared not accountable. Every criminal conduct is proven to be related from mens rea to actus rea under this philosophy. The act of the accused is assumed or believed to have caused the result as long as the chain of causation remains intact. But most times, it is difficult to establish factual causation or any direct cause of death since the factual causation is very wide, and at other times, the defendant can be convicted even if the harm is very remote from his conduct. This gives rise to Legal Causation that can restrict the potentiality of wide liability.

In a similar case in Jordan[4], There, the victim passed away eight days after hospital admission. The original injury, however, had no part in the medical cause of his death. In fact, by then it had healed considerably. Death was brought about by the "palpably wrong" treatment he had in hospital (injection of medicine to which the victim was known to be intolerant, leading to a huge allergic response, and intravenous overadministration of too much fluid). In this case here the initial damage contributed nothing to operate to the killing of the victim. Therefore, unless Jordan is held to have caused death through the physician's intervention, he has committed no murder. While taking into account the fact of proving criminal liability through factual causation, it generally falls out of the judge's hands when the prosecution proves the defendant's innocence by just using the fact. Until the principle of innocent until proven guilty is applicable, the prosecution is left with a golden chance to prove its case.

In certain situations, when two independent acts could cause harm, this test fails as harm could happen either way. In *R v Dytham*, 1979[5] A police officer's failure to intervene did not facilitate the cause of a death if it was bound to happen. These cases show that there are limitations to the 'but for' test.

LEGAL CAUSATION

This concept is a more subjective and narrower concept than factual causation, where it brings out only those substantial and main causes that led to the harm. Not all causes are the cause in law. It is more of a question asked by a lawman than a layman. The separation of a legal cause from a potential cause is a subjective exercise of common sense rather than a standard. Yet, in

[4] (1956) 40 Cr. App. R. 152; G. Williams, "Causation in Homicide" [1957] Crim. L.R. 429
[5] [1979] EWCA Crim J0718-1

trying to attribute criminal liability in this way, one is looking for some kind of abnormality or culpable conduct.

In the case R v Hennigan (1971)[6] The appellant was convicted of causing death to the passengers travelling in the case driven by Lowe, which was crash hit by the appellant. The defendant argued that his action was not the cause-in-law of the hurt caused. However, the Court of Appeal upheld the conviction and stated that he was the "substantial cause"[7]This was enough to make the appellant liable for his act (driving dangerously at high speed in a restricted area). This decision by the court was emphasised through the Road Traffic Act 1960, section 1[8]

In the case **R v DALLOWAY (1847)[9]**

Crown Court

Citations: (1847) 2 Cox 273

FACTS OF THE CASE

Dalloway was riding a horse and cart which was travelling down a public street. Dalloway was not holding onto the reins since they were on the back of the horse. In the course of his trip, a small kid came out onto the street in front of the cart and was hit by one of the wheels as the cart went on. Dalloway was accused of operating his cart carelessly and then killing the child.

CASE ANALYSIS

The decision that was stated by the court of law was that Dalloway was acquitted as it was proved before the court that the causation was not direct as the death could not have been avoided if Dalloway had held the reins tightly, he would not have been able to stop the cart before it collided with and killing the child. Thus, Dalloway was not guilty of culpable homicide. In this case, it is stated from the legal cause that the defendant cannot be legally held

[6] [1971] 3 All ER 133; (1971) 55 Cr App R 262.
[7] "R v Hennigan (James) – Case Summary" (*IPSA LOQUITUR*, January 17, 2021) <https://ipsaloquitur.com/criminal-law/cases/r-v-hennigan-james/#google_vignette>.
[8] "Road Traffic Act 1960" <https://www.legislation.gov.uk/ukpga/Eliz2/8-9/16>.
[9] R v Dalloway (1847) 2 Cox 273

accountable due to the absence of mens rea, as stated above, the defendant's action was not the substantial or operational cause of the harm caused.

NOVUS ACTUS INTERVENIENS

This principle of novus actus interveniens limits the criminal liability of an individual by establishing a causal connection between the defendant's conduct leading to harm. There are various ways through which a defendant's liability can be waived off, foreseeability, voluntariness, or an independent act intervenes, absolving the defendant's liability even if their act was an initial act that caused the harm. An intervening act breaks the chain of causation under these criteria:

1) Foreseeability: the defendant should not be able to foresee the cause that will happen, or even a reasonable person should be able to foresee the consequence of the act.
2) Voluntariness: if the defendant or the accused did the act voluntarily, not coerced or compelled.
3) Independence: the main act should overshadow the defendant's liability as the primary cause.

INTERVENING ACTS STATED BELOW

There are different ways through which the court establishes an intervening act. The court checks whether there is a chain of causation. This makes sure the liability of the defendant may only fall upon him if the harm is inflicted directly by his action.

Third-Party Acts

In **The Oriental Insurance Company Ltd vs Krishnan on 8 November 2022**

High Court of Madras

Citation: C.M.A.No.2163

In this case, the insurance company has preferred an appeal against the Motor Accidents Claims Tribunal at Tiruvarur's order to pay compensation to the claimant. The insurance company contends that they cannot be held liable since the individual who met his death in the accident was the rider of the motorcycle and had himself caused the accident. They also indicated that he was not the owner of the vehicle and did not possess a valid driving license at the time of the accident. The Tribunal, however, is based on the insurance policy. Which provided personal

accident cover for the owner-cum-driver, and held the insurance company responsible. However, the insurance firm contends that such a stipulation is binding only if it is the owner himself who had driven, something not applicable to the present case. Indeed, it was the owner himself who had surrendered the car years ago to a finance firm and claimed to know nothing regarding who it had been used by when it was involved in an accident. But his name was still on the official documents, such as the registration certificate and insurance policy. The claimant's attorney objected to the insurance firm's submissions, stating that they were made for the first time in the appeal and must not be entertained now. The attorney also stated that the earlier case the insurance firm cited was regarding injury, not death, and thus does not apply here. The crux of the problem in this appeal is whether the insurance firm can still be held accountable when the accident involved a person who was not the owner and lacked a license, though the insurance policy was still in the name of the original owner

the court held that the insurance policy in question does not cover third-party drivers, and as the individual who died in the accident was the one driving the vehicle and also liable for causing the accident the tortfeasor, the insurance company cannot be held liable to pay compensation. Thus, the court granted the appeal filed by the insurance company and revoked the Tribunal's previous order. The court further stated that the claimant should sue for compensation from the 1st respondent (the vehicle's registered owner) rather than the insurance company. No costs were awarded, and the associated petition was dismissed.

This decision points out that while a vehicle could be insured, it doesn't imply all those who drive the vehicle are also covered, third-party owners more so if they are not owners or driving without ownership. This decision by the court follows that the tortfeasor cannot receive compensation for what he did himself. The owner, driver, and third party distinguish themselves in such cases. The case also indicates the use of precedent, in that the court relied on an earlier Supreme Court decision to resolve the case matter. Thus, in this case, third-party involvement was considered an intervening act.

Medical Negligence

Medical negligence can be considered an intervening cause in determining criminal liability when the harm caused to an individual is not based on their primary injury (other than medical injury), but the harm caused is due to the failure of the medical practitioners or failure in medical treatment. For instance: “if a hospital fails to diagnose cancer, and as a result of which

an individual misses out on treatment that might have helped them deal with cancer, or even avoid a terminal diagnosis, the breach of the duty of care is the failure to diagnose, and cancer becoming more serious than it otherwise might have been, is the causation."[10]

- **Kishan Rao vs Nikhil Super Speciality Hospital & Anr on 8 March, 2010**

Supreme Court Of India

Citation: NO.2641_ OF 2010

The appellant got his wife admitted to the Respondent No. 1 hospital on 20.07.02 as his wife was having a fever, which was intermittent and was reporting chill. In the grievance, the appellant additionally averred that his wife underwent certain tests conducted by the respondent No.1, but the tests were not such as to reveal that she had malaria. It was also averred that his wife was not getting better by way of the medicine administered by the opposite party No.1 and on 22nd July, 2002, when she remained admitted by the respondent No.1. Saline was administered to her, and the complainant had observed some particles in the saline bottle. This was pointed out to the respondent No.1 authorities, but in vain. Then on 23rd July 2002, the wife of the complainant was suffering from respiratory distress and the complainant brought it to the notice of the authorities of the respondent No.1, who administered artificial oxygen to the patient. As per the complainant, at that time, artificial oxygen was not required, but without determining the actual need of the patient, the same was administered. As per the complainant, his wife was not showing improvement on the medicines, and hence her condition was getting worse day by day. The patient was lastly shifted to Yashoda Hospital from respondent No.1.

But the death certificate issued by the Yashoda Hospital revealed that the patient expired because of "cardio-respiratory arrest and malaria". In light of the above-said finding, the District Forum held that the patient was administered the wrong treatment and granted compensation of Rs.2 lakhs and other directions as referred to above in favour of the appellant.

The complaints stated that his wife wasn't treated well and respondent No.1 was negligent in the treatment of the patient, the District Forum, on a careful study of the facts, found that there was negligence on the part of respondent No.1 and hence the District Forum directed that the

[10] Thompsons Solicitors, 'What Is Causation in Medical Negligence?' (*Thompsons Solicitors*) <https://www.thompsons.law/support/legal-guides/what-is-causation-in-medical-negligence> accessed 18 April 2025

complainant is deserving of a refund of Rs.10,000/- and compensation of Rs.2 lakhs and is also deserving of costs of Rs.2,000/-.

"This Court is constrained to set aside the orders passed by the State Commission and the National Commission and restore the order passed by the District Forum. Respondent no.1 is directed to pay the appellant the amount granted in his favour by the District Forum within ten weeks from the date. The appeal is thus allowed with costs assessed at Rs 10,000/- to be paid by respondent No.1 to the appellant within ten weeks."[11] This case states how a doctor's negligence can help the court establish the causation of the patient's death. The patient being treated and declared dead in hospital Yashoda will not be a strong cult when the negligence from the side of respondent 1(a doctor from 1st hospital) is proven through strong evidence, as stated by the court judge.

To prove causation in medical negligence, the 1st criterion is to 'establish causation'; it is necessary to prove that there exists a duty of care or duty of breach between the patient and the doctor, if so, it serves to establish causation. "If there exists more than one cause of the injury suffered, it needs to be proved that the damage was caused by the incident one is claiming."[12] This case establishes causation when the patient was brought ot the respondent hospital and the breach of duty and care was broken in that hospital due to mistreatment and finally shifting the patient alone to another hospital and trying to prove the cause of death as uncertain cannot be taken into consideration in the view of these many evidences against the respondent.

- **LAKSHMI RAJAN vs MALAR HOSPITALS LTD[13]**

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

(1997) 06 NCDRC CK 0049

The complainant, a 40-year-old married woman with no children, felt a lump in her left breast and was sent to Malar Hospital by her family physician on 25th July 1992. She was examined by Dr. Ravindra Padmanabhan (2nd respondent) consultant surgeon, who identified the lump as a fibroadenoma and recommended a mammogram and excision biopsy. The mammogram report also revealed two well-defined nodules in her left breast,

[11] *"Digital Supreme Court Reports" <https://digiscr.sci.gov.in/view_judgment?id=MjQzODU=>.*
[12] *Manupatra, "Articles – Manupatra" <https://articles.manupatra.com/article-details/Causation-in-Medical-Negligence-cases-is-not-just-complex-its-confused>.*
[13] *"LAKSHMI RAJAN vs MALAR HOSPITALS LTD." <https://www.courtkutchehry.com/Judgement/Search/t/6502222-lakshmi-rajan-appellant-hash-malar>.*

consistent with fibroadenoma. She was hospitalised on 3rd August 1992, and she was operated on 5th August. Even though she had given her consent only for the excision of the breast lump, she was shocked to regain consciousness to find that she had had her uterus. This operation, an abdominal hysterectomy, was conducted without her consent. Before surgery, her abdominal ultrasound had resulted normally, and her post surgical pathology report did not suggest any severe condition for which the removal of her uterus was a priority.

After suffering from major post-operative complications such as vaginal pus, body ache, and urine and bowel obstruction, she was discharged on 10th August 1992. She remained afflicted by complications even months after the operation. The complainant complained that the surgery was performed negligently and without valid medical justification. She further alleged that if there had been a uterine prolapse, it could have been cured through a less invasive vaginal operation. She was also forced to pay for several hospital items that were not returned. The most agonising effect on her was that she was permanently incapable of giving birth, which led to her physical and emotional suffering.

From the evidence given at the hearing, the bench ruled that the defendant was not liable. The strongest evidence provided was the pathology report, which established that the patient had a fibroid uterus and chronic cervicitis. As cervicitis tends to be a concomitant condition of uterine prolapse, this confirmed the medical indication for the hysterectomy. The complainant seemed to take advantage of the exclusion of the phrase "prolapsed uterus" from the final discharge summary to make a false complaint. The court stated that, as per the evidence submitted, the circumstances can be stated as a case of medical negligence being an intervening fact in establishing the causation of the harm caused to her. However, the very fact that the complainant herself had carried the recommendation letter by her family doctor, Dr Srinivasan (which stated a need for hysterectomy) to the respondent would amount to her being aware of the content in the letter and the complainant having the foreseeability about further actions. The court also stated that the appellant had observed his best duty of care.

Consequently, the bench ruled that the complainant was not entitled to any compensation, and the case was dismissed in favour of the defendant. This case establishes that there was no causation link between the surgery she consented to and the one she didn’t, as the very material

fact that she carried away the recommendation letter containing the advice about performing a hysterectomy made her liable enough to foresee the consequence that followed. [14]

EGG SHELL SKULL RULE

The eggshell skull rule, also known as the thin skull doctrine, is a general rule of tort and criminal law that makes defendants strictly liable for harm inflicted upon a victim, regardless of whether the pre-existing susceptibilities of the victim—e.g., medical illnesses, religious beliefs, or psychological susceptibility—heighten the injury. The rule mandates that defendants "take their victims as they find them."[15] Whether or not for unforeseen or extraordinary circumstances. The prohibition bars defendants from evading responsibility by asserting that the victim's special condition exacerbated the harm to the point of being worse than anticipated. For instance, a light attack on an individual with a heart condition, resulting in a fatal heart attack, nonetheless renders the defendant liable to the fullest extent.

R v Blaue [1975] 1 WLR 1411

The victim's refusal of the defendant's sexual advances led the defendant to stab the victim four times. While the victim was hospitalised, she needed medical treatment in the form of a blood transfusion. The victim was a Jehovah's Witness whose religious beliefs excluded accepting a blood transfusion. She was told that she would die unless she received a blood transfusion but still refused to tolerate treatment due to her religious beliefs. The victim then died, and the defendant was indicted for manslaughter because of diminished responsibility. The defendant appealed.[16]

The appeal was dismissed by the appellate body, and the court stated that the girl's refusal to blood transfusion was not the cause of the death and did not break the chain of causation. The defendant was liable to foresee the victim's characteristics and beliefs and act accordingly. Thus, in conclusion, it is interpreted that the defendants are liable for those acts if it is under the wish of the victims' religious/personal belief, as these arise out of someone's identity.

[14] *Hp, "International Journal of Legal Science and Innovation" 5 75.*
[15] *Zachary Mushkatel, 'Answer Question' (Mushkatel, Gobbato, & Kile, P.L.L.C., 23 August 2023) https://www.phoenixlawteam.com/blog/does-eggshell-skull-rule-affect-car-accident-cases/ accessed 14 April 2025*
[16] *All Answers ltd, 'R v Blaue - 1975' (Lawteacher.net, April 2025) https://www.lawteacher.net/cases/r-v-blaue.php?vref=1 accessed 13 April 2025*

➢ OTHER CASE ANALYSIS (BOTH INDIAN AND FOREIGN)

R V Field [2022][17]

IN THE COURT OF APPEAL (CRIMINAL DIVISION) ON APPEAL FROM CROWN COURT AT OXFORD[18]

Citation Number: [2022] EWCA Crim 316

This case is an appeal against a single bench conviction of the appellant for the murder of two persons, Peter Farquhar (PF) & Anne Moore-Martin (AMM). The appellant had allegedly deceived the two elderly persons and established a genuine caring relationship with them to alter their respective wills and secure their property. To achieve his objective, he even administered them with various drugs and alcohol to disguise the crime as a suicide.

Concerning PF, a professor at the University of Buckingham, proposed and was a party to this criminal cause. The appellant is stated to have a gay relationship with PF, and it was also stated that PF was subtly coerced by the appellant to alter his will so that the larger part of his property would be inherited by the appellant alone. Finally, he administered drugs to make it look like dementia. After his death, the appellant had inherited the merit of his estate.

The crown court sentenced him to life imprisonment for 36 years under the Criminal Justice Act 2003. He appealed against the conviction and sentencing

The court dismissed the appeal against the conviction. However, it allowed for an appeal on the quantum of sentencing by leave. Till then, the sentence will remain that of imprisonment for life with a minimum term of 36 years.

The court deals with the matter of two elderly persons after being deceived by Field it also deals with causation and how the break of causation can act as a sufficient ground for an appeal and perhaps for a lowering of sentence with regard and perhaps for a lowering of sentence to the first victim. The question of causation had arisen as it was claimed that it was the deceased's voluntary decision to consume alcohol that resulted in his death, and therefore, granting a sentence for murder had to be repealed due to a breach of the line of causation. The judge's directions captured the essence of the issue clearly.

[17] *[2022] EWCA Crim 316*
[18] Fincham Chelsea, "Court of Appeal Judgment Template" [2022] ROYAL COURT OF JUSTICE.

JACOB MATHEW *vs.* STATE OF PUNJAB AND ANR.(2005)[19]

CITATION: 2005 INSC 334

The second respondent had registered an FIR with Police Station Division No. 3 in Ludhiana under Section 304A, read with Section 34 of the Indian Penal Code, alleging medical negligence. The FIR was based on the death of Jiwan Lal Sharma, who was admitted to CMC Hospital, Ludhiana, on February 15, 1995. During the evening of February 22, Jiwan Lal was having breathing trouble. His son, Vijay Sharma, at once notified the duty nurse, who summoned a doctor. But no doctor came for almost 20–25 minutes. Two doctors eventually came—Dr. Jacob Mathew (the appellant) and Dr. Allen Joseph. They attached an oxygen cylinder to the patient, but it turned out to be empty. There was no spare cylinder available, so Vijay Sharma had to bring one from another room. Sadly, it took time for the new cylinder to become operational, and around 5-7 minutes were lost. By the time another physician came, Jiwan Lal had died. As per the FIR, the complainant accused the doctors and nurses of negligence and the use of an empty oxygen cylinder of the death.

Later, the Judicial Magistrate First Class, Ludhiana, framed charges against both doctors under Section 304A IPC. They went to the Sessions Court because there were no grounds for the charges, but the revision was rejected. Dr. Mathew then went to the High Court under Section 482 CrPC to get the FIR and proceedings quashed. He argued that the police had not made any specific allegations of negligence in the documents they had submitted. However the High Court rejected the petition on December 18, 2002, and also rejected a later request to reconsider that order in January 2003. Aggrieved, Dr. Mathew submitted a special leave petition to the Supreme Court.

Dr. Mathew, in defence of Jiwan Lal, said the latter had terminal cancer and was denied admission by other hospitals because his illness was critical. He was admitted to CMC Hospital only because of pressure from his powerful sons, even though he was told that his condition was incurable and could be handled at home. The hospital staff reportedly gave proper treatment and care, but Jiwan Lal's death was unavoidable because of the critical condition of his illness. Dr. Mathew asserted that the complaint was due to a misunderstanding and was unjustified.

[19] *[JACOB MATHEW vs. STATE OF PUNJAB AND ANR] [2005] INSC 334*

In this case, the court quashed the criminal proceedings against Dr. Jacob Mathew. It also stated that professionals are not guilty of negligence if they acted in a practice accepted as proper by the medical board. In this case, the patient, being in the terminal stage, died from his persisting disease, not only because of the failure of the medical authority. Also, mens rea is an important element in determining criminal liability, and the doctor never intends to hurt any patient. The court also emphasised that doctors should not be harassed or subjected to unnecessary criminal trials unless clear negligence is established.

This case brings about a balance between the doctor-patient relationship and the protection of medical professionals. The famous test, like the Bolam test, was applied stating a doctor will not be negligent if acting by established medical practice"[20] The causation was not established in this case as the patient died due to his terminal illness, and the delay from the medical department in providing timely care cannot be taken as a cause-and-effect link.

Gurmeet Singh vs The State Of Punjab on 28 May 2021

citations: AIR 2021 SUPREME COURT 2616,

The marriage between the daughter of the actual complainant and the appellant was solemnised. There were multiple instances of demanding dowry by the in-laws of the deceased person. Later on, the father-in-law of the deceased informed the complainant that the deceased had consumed poison and lost consciousness and was being taken to the hospital. Upon reaching the hospital, the complainant found his daughter unconfiscated. That day she died, the trial court, on order, convicted the appellant, i.e. the husband, father-in-law and mother-in-law for the offence under section 304-B and sentenced them to undergo rigorous imprisonment for 7 years each and a fine of rupees 5000 each.

The convict approached the High Court of Punjab and Haryana, where the mother and father of the current appellant were acquitted, but the conviction of the accused was still upheld. Subsequently, the current appeal was filed by the appellant at the Supreme Court of the country. Later, the appeal was dismissed.

In this judgement first two ingredients under section 304-B as to death under otherwise than normal circumstances within seven years of marriage stand satisfied. However, for the dowry, the court mainly relied on the statement of the facts of the deceased.

[20] *AIR 2005 SC 3180*

The court in this case has a very well-analysed sentence related to dowry. The court, after looking into all the evidence, has confirmed that the accused has committed dowry death, and this is when the cause-a-link comes into effect. The burden is on the appellant to break the causal link by providing adequate facts and evidence; however, in this case, the court found that all the reasons given by the appellant to breach the cause-and-effect link were dubious, and hence, the appellant failed to break the causal link. [21]

CONCLUSION

Causation in criminal law serves to link an individual's actions to the result, ensuring that individuals are only held responsible when it is just to do so. It entails two key tests: factual causation, inquiring whether the outcome would have occurred 'but for' the individual's conduct and legal causation, examining whether the result was closely connected to their conduct. Over time, courts have also begun employing other means to determine whether a person should be held legally accountable, particularly in reaction to shifts in society and legal thought. Legal theorists such as H.L.A. Hart and Tony Honoré have detailed these concepts in their book Causation in the Law (1985), demonstrating how the law attempts to remain equitable when handling important cases.

Hart and Honore's distinction between causes and conditions excludes proximate causation. Like in the case R V Smith(1959), the defendant's stab wound remained the operative cause of death despite poor medical treatment, as the original wound can be considered original and substantiative according to the judgement this is referred to Hart and Honoré’s work that legal causation excludes the very fact behind it.

Finally, the doctrine of causation has been explained in the research paper, with supporting case laws from the Indian and foreign contexts again proving that this doctrine is simply determining the criminal liability of an individual if the harm caused by him is the causative factor in it. Although we can see other ways through which criminal liability can be established, like when multiple actors contribute to the harm, courts have to determine whether it is a joint causation or a multi-defendant case. Similarly, if an individual was able to foresee the consequence of the act, then the doctrine does not apply, but he will be criminally liable by foreseeability. In essence, Hart and Honore’s causation in law remains pivotal for its common-sensical approach, which prioritises ordinary moral intuition.

[21] *AIR 2021 SC 2616*